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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15239 of 2005

Between:

Hari Ram S/o. Late Ghanshyam Das
Attorney holder, Sri Mohanlal, S/o. Narayanlal R/o. H.No.14-8-129, Begum Bazar, Hyderabad.

..... PETITIONER

AND

1 The Chief Commissioner of Land Acquisition Survey, Settlement & Land Records (Evacuee Property Cell)
Government of Andhra Pradesh Hyderabad.
2 The District Collector Hyderabad District
Nampally Station Road Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of writ of mandamus declaring the action of the respondents herein to consider and dispose of the representations made by the petitioner dated 4-1-2003, 24-6-2004 and 28-2-2005 as per the proceedings of the first respondent in CCLA's Ref.No.SEP3/90/2001 dated 16-1-2003 in accordance with the provisions of the Evacuee Property and Displaced Persons (Compensation and Rehabilitation) Act, 1954 and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner: MR.E.MADAN MOHAN RAO

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

In this Writ Petition, petitioner is seeking a writ of Mandamus, directing the respondents herein, to consider and dispose of the representations made by the petitioner dated 4.1.2003, 24.6.2004 and 28.2.2005 as per the proceedings of the first respondent in CCLA's Ref.No. SEP3/90/2001 dated 16.1.2003, in accordance with the provisions of the Evacuee Property and Displaced Persons (Compensation and Rehabilitation) Act, 1954.

It is submitted that son of late Smt. Teji Bai and late Sri Ghanshyam Das are the displaced persons came from Pakistan and settled in India at the time of partition. Since the displaced persons are entitled to purchase the properties under the Evacuee Property Administration Act, petitioner's mother through her G.P.A holder Sri Natarajan participated in an open auction held on 19.3.1960 by the Regional Settlement Commissioner, Bombay for purchase of Evacuee Property bearing H.No. 18-14-623 (old) 16-6-559 and 560 (new) situated at Osmanpura, Hyderabad and the said auction was knocked down in favour of petitioner's mother for a consideration of Rs. 14,500/- and the sale certificate issued on 30.6.1966 to the petitioner's mother, but possession was not handed over in view of change of office and delegation of powers to the Andhra Pradesh State Authorities by the Central Government. It is submitted that the petitioner made several representations including the representation-dated 4.1.2003. In view of the same, the first respondent called for a report from the second respondent vide his proceedings in CCLA's Ref.No. SEP3/90/2001 dated 16.1.2003, but so far, the same is still pending.

Thereafter, the petitioner made representations dated 24.6.2004 and 28.2.2005, but, no action has been taken on the representations of the petitioner by the respondents. Hence, the present Writ Petition.

Considering the facts and circumstances of the case, I deem it appropriate to dispose of the Writ Petition at the stage of admission directing the respondents to consider the representations filed by the petitioner dated 4.1.2003, 24.6.2004 and 28.2.2005 and pass appropriate orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 14.7.2005

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To

1 The Chief Commissioner of Land Acquisition Survey, Settlement & Land Records (Evacuee Property Cell)
Government of Andhra Pradesh Hyderabad.
2 The District Collector Hyderabad District
Nampally Station Road Hyderabad.

3. Two CCs to G.P. for Revenue, High Court of A.P., Hyderabad (OUT)

4. Two CD copies.